





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Takefumi OGUMA

Serial No.:

09/963,531

Group Art Unit:

2613

Filing Date:

September 27, 2001

Examiner:

Dalzid E. Singh

For:

OUTPUT MONITOR/CONTROL APPARATUS AND OPTICAL

COMMUNICATION SYSTEM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SECOND REQUEST FOR CORRECTED SUBMISSION OF INFORMATION DISCLOSURE STATEMENT AND CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT, AND STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

Applicant respectfully requests submits that on <u>August 18, 2003</u> an Information Disclosure Statement (<u>IDS</u>) was filed (a copy of the IDS, corresponding form PTO-1449 and date-stamped attorney's post card filing receipt are included herewith for the Examiner's convenience). However, the IDS has not yet been acknowledged by the Examiner, nor has the IDS been placed on record in the present application.

On November 1, 2005, United States Patent Office Examiner Edith Chang contacted Applicant's representative to check the status of United States Patent Application Serial No. 09/963,351 (which is not being handled by Applicant's representative).

After further reviewing the prosecution history of Application Serial No. 09/963,351, Examiner Chang indicated that Applicant's IDS filed on August 18, 2003 (in the present application) was erroneously entered into the prosecution history of Application Serial No. 09/963,351.

Applicant respectfully requests that the IDS filed on August 18, 2003 be correctly entered into the prosecution history of United States Patent Application Serial No.

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Application No. 09/963,531 Docket No. NEC01P175-JNb

<u>09/963,531</u>. Furthermore, Applicant respectfully requests the Examiner to consider the IDS filed August 18, 2003.

Applicant again points out that this submission is merely <u>a request for corrected</u> <u>submission and consideration of the IDS filed on August 18, 2003</u>. This submission is <u>not</u> an Information Disclosure Statement.

Since this error is due to a mistake by the United States Patent and Trademark Office, no fee is included herewith.

The Commissioner is hereby authorized to charge and deficiency in fees or to credit any overpayment to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

Scott/M. Tulino Registration No. 48,317

Sean M. McGinn

Registration No. 34,386

Date: >4/1/2006

MCGINN INTELLECTUAL PROPERTY

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DIPE 4
Serial Number: 371 765, 531 Papers Filed On: JUL 1 1 2006 Papers Filed On: Papers Filed On
Attorney's Docket Number: Patent Trademark
Applicant's Name: Application Filing Date: Application Filing Date:
Amendment Request for Extension of Time CPA Request
Notice of Appeal Appeal Brief (in triplicate) Reply Brief
1DS 18 2003 Final Documents Priority Document(s)
Assignment 1 8 2003 Recordation Cover Sheet Formal Drawings
Draw Correction Issue Fee Transmittal Missing Parts
Fees Filed Herewith: \$ Check Charge Deposit Account:
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Takefumi Oguma

FILING DATE September 27, 2001

GROUP

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
		FOR	REIGN PATENT DOCUMENTS			L	
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
	5-267760	10/15/93	JAPAN			AAS NO	
	2000-236135	08/29/00	JAPAN			AAS	
	2001-7438	01/12/01	JAPAN			ARS	
	2002-43687	02/08/02	JAPAN			ARS	
	2000-232248	08/22/00	JAPAN			ABJ	
	OTHER DOCUM	ENTS (Includi	ing Author, Title, Date, Pertiner	nt Pages, Etc.)			
	Japanese Office Action	dated July 8, 20	003, with partial English translation	n.			
MINER			DATE CONSIDERED				

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-A820 (also form PTO-1449)

P09C/REV03

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